

OPINION  
46-22

August 23, 1946 (OPINION)

CERTIFICATES OF INDEBTEDNESS

RE: Basis For

Your letter of August 21, regarding what are "current taxes," has come to my desk.

Certificates of indebtedness may be issued by a school district against uncollected taxes which have been levied during the year in which the borrowing is made, plus "uncollected taxes remaining upon the tax lists of the four preceding years," excluding sinking fund levies. See section 21-0203 provides:

"A tax shall be deemed to have been levied when it has been voted by the tax levying board and certified to the county auditor."

Therefore, it is my opinion that the "current tax" means the tax levied in the current year; that is, the current taxes for the year 1946 would be the taxes levied by the taxing board during that year and regularly certified to the county auditor as the tax levy for that year.

NELS G. JOHNSON

Attorney General